HON'BLE THE CHIEF JUSTICE SRI G.S. SINGHVI

Writ Petition No.10974 of 2000

Between:

I. Mohan Rao and others

… Petitioners

And

The M.D., A.P. Transmission Corporation Ltd.,
Vidyut Soudha, Somajiguda, Hyderabad and others

… Respondents

:: ORDER::

Counsel for Petitioners: Shri Dhonday Ram Mane

Counsel for the Respondents: Shri Samineni Kishore

February 14, 2007

In this petition, the petitioners have made the following substantive prayer:

> "For the reasons submitted in the above paras, the petitioners most respectfully bets to pray this Hon'ble Court to issue a writ, order or proceedings more particularly a writ in the nature of mandamus under Article 226 of the Constitution of India directing the respondents to regularize the services of the petitioners to the post to which they are eligible since they have been continuously working for more than nine years in the perennial nature of work in view of the pronouncements of the Supreme Court in the case of Haryana State Electricity Board v. Suresh 1999 SCC (3) page 601 and in Gujarat Electricity Board v. Hind Mazdoor Sabha as reported in LLJ 1995 Vol. II page 790 in fulfillment of fundamental rights guaranteed under Articles 14, 16 and 21 of the Constitution of India in the matters of public employment and may be pleased to pass such other orders as deemed fit and necessary in the facts of the case."

After arguing the case for some time, Shri Dhonday Ram Mane, learned counsel for the petitioners made a request that his clients may be permitted to withdraw the writ petition with a liberty to file an appropriate application under the Contract Labour (Regulation and Abolition) Act, 1970.

Shri Samineni Kishore, learned counsel for the respondents says that he does not have any objection.

In view of the above, the writ petition is dismissed with liberty to the petitioners to avail the alternative remedy.

As a sequel to dismissal of the writ petition, WPMP Nos.19571 of 2000 and 616 of 2001 filed by the petitioners for permission to grant leave to file additional material papers and to fix an early date for hearing the writ petition are disposed of as infructuous.

G.S. SINGHVI, CJ

February 14, 2007

svs